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-- REMARKS --

The present amendment replies to a Non-Final Office Action dated August 5, 2004. The specification has been amended to correct inadvertent typographical errors. Claim 21 has been added. No new matter has been added with this amendment.

Examiner Beaulieu rejected claims 1-20 under 35 U.S.C. § 102(e) as being anticipated by Dickerson, U.S. Patent 6,697,730, ("the Dickerson patent"). The Applicant has thoroughly considered the Examiner's remarks concerning the patentability of pending claims 1-20.

The Applicant respectfully asserts that the Dickerson patent fails to disclose each and every element of the Applicant's invention as claimed, as required to maintain a rejection under 35 U.S.C. §102(e). See MPEP 2131.

The Dickerson patent fails to disclose, teach, or suggest a method of providing car pooling assistance through a wireless communication system including "obtaining the positional information of the user's moving vehicle; storing the positional information as *a route* in a call center database; and sending at least one available match based on the carpool enrollment request to the first user" (emphasis added) as recited in the independent claim 1. The Dickerson patent discloses a real time transit system where a user can request, via a wireless communication, that a vehicle, such as a bus or van, etc. pick the user up within a certain time period and take them to a final destination.

As each and every limitation of independent claim 1 is not disclosed by the Dickerson patent claim 1 cannot be anticipated by the Dickerson patent. Withdrawal of the rejection of independent claim 1 under 35 U.S.C § 102(e) is respectfully requested.

The Applicant further asserts that the Dickerson patent fails to disclose, teach, or suggest a computer readable medium storing a computer program or a system for providing car pooling assistance through a wireless communication system as claimed in independent claims 8 and 15. The Dickerson patent fails to teach or disclose 1) computer usable medium including a program for providing car pooling assistance through a wireless communication system including "computer program code for obtaining the positional information of the user's moving vehicle; computer program code for storing

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the positional information as a route in a call center database; and computer program code for sending at least one available match based on the carpool enrollment request to the user" as recited in claim 8; and 2) a system of providing car pooling assistance through a wireless communication system including means for obtaining the positional information of the user's moving vehicle, means for storing the positional information as a route in a call center database and means for sending at least one available match based on the carpool enrollment request to the user" as recited in claim 15. As each and every limitation of independent claims 8 and 15 is not disclosed by the Dickerson patent claims 8 and 15 cannot be anticipated by the Dickerson patent. Withdrawal of the rejection of independent claims 8 and 15 under 35 U.S.C § 102(e) is respectfully requested.

Claims 2-7, 9-14 and 16-20, depend directly or indirectly from independent claims 1, 8 or 15. Therefore, dependent claims 2-7, 9-14 and 16-20 include all of the elements and limitations of independent claims 1, 8 or 15. It is therefore respectfully submitted by the Applicant that dependent claims 2-7, 9-14 and 16-20 are allowable over the Dickerson patent for at least the same reasons as set forth above with respect to independent claims 1, 8 and 15. Withdrawal of the rejection of dependent claims 2-7, 9-14 and 16-20 under 35 U.S.C § 102(e) is requested.

New claim 21 is allowable over all of the cited art of record because each, alone or in combination, fails to teach or disclose each and every element of the Applicant's invention as claimed.

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**SUMMARY**

The Applicants respectfully submit that claims 1-21 fully satisfy the requirements of 35 U.S.C. § 102, 103 and 112 and are in a condition for allowance. In view of the foregoing remarks, favorable consideration and passage to issue of the present application are respectfully requested.

Dated: November 4, 2004

Respectfully submitted,  
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